IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Vassilios Papadopoulos et al.	Examiner: Minh-Tam Davis
Serial No.:	09/047,652	Group Art Unit: 1642
Filed:	March 25, 1998	Docket No.: 1941.016US1
Title:	Peripheral-Type Benzodiazepine Receptor: A Tool for Detection, Diagnosis, Prognosis, and Treatment of Cancer	

SUPPLEMENTAL PRELIMINARY AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

To supplement the Preliminary Amendment filed on April 19, 2006 and the Supplemental Preliminary Amendment filed on April 24, 2006, please amend the application as follows:

In the Claims

Please amend the claims as follows.

1-52. (Canceled)

53. (Currently Amended) An isolated nucleic acid that comprises a nucleotide sequence that is the complete complement of SEQ ID NO:1 or SEQ ID NO:2;

wherein said nucleic acid, when introduced into a cell line that expresses a polynucleotide comprising SEQ ID NO:1 or SEQ ID NO:2 or which encodes a peripheral-type benzodiazepine receptor protein having a mutant threonine residue at position 147 and a mutant arginine residue at position 162 and having residues 27 to 169 of SEQ ID NO:3, inhibits the expression of the polynucleotide ~~gene~~.

54. (Previously Presented) The nucleic acid of claim 53, which has the complete complement of SEQ ID NO:1.

55. (Previously Presented) The nucleic acid of claim 53, which has the complete complement of SEQ ID NO:2.

56-57. (Canceled)

58. (Previously Presented) A method for inhibiting the proliferation of a malignant cell line that expresses the PBR gene, comprising introducing into said cell line *in vitro* the nucleic acid according to claim 53 in an amount effective to inhibit cell proliferation.

59. (Previously Presented) A method for inhibiting the proliferation of a malignant cell line that expresses the PBR gene, comprising introducing into said cell line *in vitro* the nucleic acid according to claim 54 in an amount effective to inhibit cell proliferation.

60. (Previously Presented) A method for inhibiting the proliferation of a malignant cell line that expresses the PBR gene, comprising introducing into said cell line *in vitro* the nucleic acid according to claim 55 in an amount effective to inhibit cell proliferation.

61-62. (Canceled)

63. (Previously Presented) The nucleic acid of claim 53, which is comprised in a proteoliposome containing viral envelope receptor proteins.

64. (Previously Presented) The nucleic acid of claim 53, which is present in a vector.

65. (Canceled)

66. (Previously Presented) The nucleic acid of claim 53, which is contained in a carrier.

67. (Previously Presented) The nucleic acid of claim 66 wherein said carrier is a protein selected from the group consisting of a cytokine or polylysine-glycoprotein carrier.

68. (Previously Presented) The nucleic acid of claim 53, which is comprised in a microbead.

69. (Canceled)

70. (Previously Presented) The nucleic acid of claim 53, which consists of the complete complement of SEQ ID NO:1 or SEQ ID NO:2.

71. (Canceled)

72. (Previously Presented) The nucleic acid of claim 64, which is synthesized in a mammalian cell *in vitro* following introduction of said vector into said cell.

73. (Currently Amended) The nucleic acid of claim 72, which is synthesized in an amount effective to inhibit expression of the polynucleotide comprising SEQ ID NO:1 or SEQ ID NO:2 or which encodes a peripheral-type benzodiazepine receptor protein having a mutant threonine residue at position 147 and a mutant arginine residue at position 162 and having residues 27 to 169 of SEQ ID NO:3 in the cell line.

74. (Previously Presented) A composition comprising the isolated nucleic acid of claim 53, 81 or 82.

75-77. (Canceled)

78. (Previously Presented) The composition of claim 74, wherein the nucleic acid is present in a vector and is synthesized in a mammalian cell *in vitro* following introduction of said vector into said cell.

79. (Previously Presented) The composition of claim 78, wherein the nucleic acid is synthesized in a mammary gland cell *in vitro* following introduction of said vector into said mammary gland cell.

80. (Canceled)

81. (Previously Presented) An isolated nucleic acid consisting of SEQ ID NO:1, SEQ ID NO:2, or the complete complement thereof.

82. (Currently Amended) An isolated nucleic acid encoding a peripheral benzodiazepine receptor protein ~~comprising~~ having residues 27 to 169 of SEQ ID NO:3.

Remarks

The Examiner is thanked for the courtesies extended to Applicant's Representative in the telephonic interview on April 24, 2006 and April 25, 2006, in which amendments to the claims and specification, and rejoinder of the method claims which ultimately depend on claim 53, were discussed.

Claims 53, 73 and 82 are amended. Claims 53-55, 58-60, 63-64, 66-68, 70, 72-74, 78-79, and 81-82 are pending.

The Examiner is requested to consider page 15, lines 25-27; page 16, lines 1-6; and page 40, lines 31-37 of the specification, where SEQ ID Nos: 1, 2 and 3 are described.

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 373-6959 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By their Representatives,

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Date April 25/06

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 25 day of April, 2006.

Name

Signature